

B541609

WEATHER FORECAST.

Rain to-day; to-morrow cloudy and somewhat warmer; strong easterly winds. Highest temperature yesterday, 67; lowest, 47. Detailed weather reports will be found on editorial page.

VOL. LXXXVI.—NO. 248.—DAILY.

NEW YORK, FRIDAY, MAY 5, 1922.—ENTERED AS SECOND CLASS MATTER.

PRICE TWO CENTS

THREE CENTS
WITHIN 200 MILES.
FOUR CENTS ELSEWHERE.

ALL SURFACE AND L' LINES GET ORDER TO BETTER SERVICE

Transit Commission Sets Start of Investigations for May 15.

B. R. T. FINANCES GROW

Figures Show No Hopes for Higher Fare; Must Improve Also.

ASK 10c. FARE IN QUEENS

Receivers Would Operate Steinway Lines Separately, They Tell Court.

The Transit Commission issued orders yesterday for service investigations, beginning May 15, of inadequate transit facilities on the Manhattan elevated lines, now under lease by the Interborough Rapid Transit Company, and also on all surface railway lines in the city.

The commission will examine the four major surface railway systems—New York Railways and Third Avenue systems, in Manhattan, and B. R. T. and Brooklyn City, in Brooklyn. Investigation of the lesser surface lines probably will proceed simultaneously with counsel or other attaches as examiners.

It is hoped to complete by July the whole city's service situation, appropriate orders for betterments to follow. Orders for more efficient service in the subways of the Brooklyn Rapid Transit system may be expected in about three weeks.

Big Improvement in B. R. T.

On the resumption yesterday of the B. R. T. subway and elevated service examination Clarence J. Shearn placed in evidence from the company's reports figures indicating so striking an improvement in its financial affairs as to warrant much heavier expenditures for the comfort of the traveling public.

It appeared that for the nine months ended with March, 1922, the net income of the B. R. T. system was \$2,012,041, compared with a deficit of \$5,386,348 for the corresponding period of the preceding year, a gain of \$7,398,389. For March alone the gain was 364 per cent, net earnings being \$534,161, compared with a loss of \$1,450,161 for the same month of 1921.

Darius A. Marsh, counsel for Lindley M. Garrison, receiver, unsuccessfully objected to the use of the figures, on the ground that the hearing was restricted to the affairs of the Consolidated Railway Company, the operating subsidiary for the B. R. T. subway and elevated lines.

They mean the deathknell of your hopes for higher fares," exclaimed John P. O'Brien, corporation counsel, with a chuckle.

"Like data for the operating company," the consolidated—showed that, after deducting all interest charges and taxes, the net corporate income for March was \$90,537, an increase of \$11,138 over the same month of 1921.

Revenue Car Miles Increased.

Still comparing March figures for the two successive years, it was shown that the revenue car miles operated by the Consolidated had increased 19,748 and the number of revenue passengers had increased 2,070,940. The number of passengers increased 51 per cent, revenue car miles operated, 64 per cent, and car seat miles, 83 per cent.

When W. S. Menden, general manager of the B. R. T. for the receiver, was recalled to the stand, Mr. Shearn brought out the fact that in Mr. Menden's list of train and car increases, introduced at the last hearing, there had been many duplications. Mr. Shearn decried.

"The point is whether the service has been increased as it should be and whether your financial condition will permit it to be much further increased."

Corporation Counsel O'Brien, before adjournment, asked if the city engineers might have a reading of the Queensboro Bridge, passed recently into the hands of receivers, Robert C. Lee and Stephen Huff, president of the Third Avenue Railway Company (of Manhattan). Mr. Huff is anxious to operate the Steinway lines in conjunction with the Third Avenue road, which takes the Manhattan end of the Queensboro Bridge.

Before Justice Callaghan of the Supreme Court in Queens yesterday the receivers sought permission to operate the Steinway lines as a separate entity and for a separate fare, irrespective of the other lines of the Queens system, which still remain under control of the Interborough.

The Transit Commission yesterday might have O. Redington, its counsel at Long Island City in the hope that a decision might be withheld until the commission endeavors to bring about an arrangement for preservation of the single fare privilege.

Theatrical and Hotel and Restaurants. Advertising will be found on Page 8.—Adv.

Americans Will Build Biggest Hotel in Paris

Special Cable to THE NEW YORK HERALD. Copyright, 1922, by THE NEW YORK HERALD. New York Herald Bureau, Paris, May 4.

THE biggest hotel in Paris, on strictly American lines, is about to be contracted for by a group of American investors, representatives of whom are here to sign the papers at the end of this week. According to Mr. Schwenker, manager of the Hotel Maurice, who is interested in the negotiations, the syndicate has obtained the option on a whole block in the Champs Elysees, not far from the Place de la Concorde, and intends to put up a building as high as the French laws will permit. The new hotel, which it is hoped will be completed early in 1924, will cater especially to the American clientele.

HERO AT 13 RESCUES BOY IN SEWER TRAP

William Sullivan Plunges Down Manhole in Time to Avert a Drowning.

BRAVE YOUTH IS MODEST

Thinks Only of 50 Yard Dash He Will Run in Games at Pershing Field.

William Sullivan, 13, was much more interested yesterday in telling the world that he was going to run in the field games at the Pershing Stadium, Jersey City, on Saturday than he was in relating the details of how he saved the life of a five-year-old child from a muddy death in the rushing waters of a Jersey City sewer a week ago.

It was just after school—around 3:30 Thursday afternoon. Little five-year-old Girard Murphy was standing at the curb at Huron and St. Paul avenues waiting for his twelve-year-old sister "Queenie" to take him from St. John's Parochial School back to their home at 38 Broadway, Jersey City. Close by was a manhole which Girard did not see. Some older boys had been playing "catch" in the street and had opened it in search of a ten-cent rubber ball.

Children Jostle Little Boy. As one class was let out of school and tumbled down the path and spilled into the street, laughing, shouting and jostling, a group of three or four came over to where Girard was standing and bumped into him. Girard was dropped like a shot bird into the black muck ten feet below. The girls and boys crowded around crouching on their hands and knees and peering timidly into the sewer.

Sullivan was alone, swinging down the street with his books and ruler under his arm. "There's a kid down there," someone cried. "Willie peered down, but he was dark and he couldn't see anything but a few bits of black wood floating in the surface of the surging water. He took off his coat and climbed down, gaining a precarious hold on the projecting stones of the sewer until his feet touched the water. Then, as he described it, the water seemed to part and a mass of mud and debris came and he clutched hold of it with one hand, and then felt a tiny paw reach up and grasp his wrist.

Willie pulled at the boy's hair and tugged at his knees. Then he was able to push the boy above and to the street. He doesn't know whether he saved the boy or not, but it seems likely that Willie arrived at the crucial moment and that the delay of a few more seconds would have been fatal.

Mother Thankful for Rescue. Girard's mother thinks so, too. "My little boy would have been lost if it hadn't been for Willie," she said, "and all the other boys standing 'round lookin' at him."

Older boys helped Willie carry Girard to the school, and he was taken to the boiler room and dried out next to the furnace, after which the sisters got clean clothes for him. He had to go to bed two days, but he's out and back at school now.

Willie didn't mention the incident to his parents, Mr. and Mrs. William Sullivan, who live at 1111 Avenue C, nor even to his older sister, who thinks Willie is pretty much of a nuisance anyway. So nothing happened until Willie was interviewed before the whole class by Sister Victorine, who told what a hero he was and presented him with a medal of the Holy Child. Willie was photographed all yesterday afternoon. Willie was still as shy as a field mouse last night. His chief remarks for publication were:

"Don't forget to say I'm going to run in the fifty yard dash at Pershing Field Saturday. I'm going to run for St. Paul's Playground—give them a write-up, too. And don't say I'm head of my class, 'cause I'm not."

Nurse Found Guilty of Murdering Woman

Twenty Year Prison Term Fixed in Eastlake Case.

Montross, Va., May 4.—A verdict of guilty of murder in the second degree was returned by a jury here to-night against Miss Sarah E. Knox, Baltimore nurse, charged with the killing of Mrs. Margaret L. Yeoman at Colonial Beach last September.

The jury stipulated that the verdict should carry a sentence of twenty years' imprisonment in the penitentiary. The verdict was reached after an hour and thirty-five minutes' deliberation.

30 HURT IN TEXAS TORNADO.

AUSTIN, TEX., May 4.—Approximately thirty persons were injured, several seriously, and property damage of \$400,000 was done by a tornado which brushed Austin late to-day and swept down upon Pinedale, a suburb. At Oakhill, eight miles south of here, four members of a family named Hardley were reported to have been killed.

Homestead—Virginia Hot Springs, Thru Pullman, P. R. R. 3:40. Pine Golf and Tennis. Famous Cure. Bookings, Ritz-Carlton Hotel.—Adv.

GOMPERS PUTS LAWS PASSED BY CONGRESS ABOVE CONSTITUTION

Would Not Permit Courts to Decide Validity of Acts of Legislatures.

AGAIN ASSAILS BOTH

Insists Working Men Will Be Able to Correct Evils by Own Initiative.

SPARS WITH UNTERMYER

Friends Escorting Labor Leader to Train Gets Into Battle at Station.

Samuel Gompers, veteran head of the American Federation of Labor, told the Lockwood legislative committee yesterday that to introduce such legislation as is contemplated by the committee to remedy labor abuses would be to set the world back 300 years. He argued that to fix the status of men by law was impossible and stuck to his previously expressed conviction that the remedy must come from within the American labor movement itself.

Mr. Gompers finished his testimony by expressing adherence to the theory that no power ever was ceded to the courts to declare any statute unconstitutional or otherwise. He approved of a written Constitution only as a guide and held that Congress had the corrective power of repealing conflicting legislation. He would not fear the Constitution up, but reminded the committee that other countries that did not have written constitutions had managed to safeguard themselves. Mr. Gompers was born in England, where there is no written constitution, but where the validity of legislation is established by precedent.

One of the dramatic moments of the day was when Samuel Untermyer, after informing Mr. Gompers of the arrogant attitude of the Jewish Bakers' Union toward the employers and their insistence in demanding the right of collective bargaining for themselves while denying it to the employers, asked: "Have you any way on God's earth of correcting that?"

"There is no way," replied Mr. Gompers. "Some Abuses 'Indefensible.'"

Confronted once more by Mr. Untermyer with the abuses in the building trades as they have been exposed by the committee and with these supplemented by those disclosed on Wednesday in the Jewish bakers union, Mr. Gompers admitted that several of them were "indefensible." He declared that the policy of reprisals practiced by the journeymen bakers upon the masters was "shortsighted," and a letter was read characterizing the doctrine of collective bargaining as "unimpeachable."

Yet Mr. Gompers had no remedy to offer except such as would come by processes of evolution and he was not at all sure that the doctrine of collective bargaining for employees, but not always for the employers.

Mr. Gompers was on the witness stand all day and his examination ran the gamut from an academic discussion of the Constitution and the courts, in which Mr. Gompers has little faith, to considerations of the internal affairs of labor unions at times Mr. Gompers revealed what the committee members and counsel regarded as glaring inconsistencies. He advocated recourse to the courts for anything that would enlarge the scope of influence of organized labor. But he objected to the court's interference in any way with what he regarded as the sole prerogatives of the unions.

At one point he was asked by the suggestion of a limited regulation of labor unions was made to him Mr. Gompers, with a forefinger pointed at Mr. Untermyer, declared: "You won't do it. The number and power in the building trades to ask whether the witness meant to convey a threat. Mr. Gompers said that he did not, but that he was not sure that the committee that the legislation referred to could not be enforced even if it was passed, which he thought extremely doubtful.

Mr. Gompers' testimony was interspersed with frequent philosophical observations and is emitting continuous roars, which can be heard for several miles. Dense black smoke is filling the sky.

GOODRICH TO REVISIT RUSSIA.

WASHINGTON, May 4.—Former Gov. Goodrich of Indiana will return to Russia next week to make a survey of the new Russian harvest for the American Relief Administration. Secretary Hoover announced to-day.

Dense Smoke Fills Skies—Roars Heard Miles Away.

CATANZARO, Sicily, May 4. (Associated Press.)—Mount Etna has broken out again with eruptions of increased violence and is emitting continuous roars, which can be heard for several miles. Dense black smoke is filling the sky.

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Release Others or Jail Me Again, Debs Writes

WASHINGTON, May 4.—Eugene V. Debs, who was released from Atlanta Federal penitentiary last November on commutation of sentence by President Harding, has written to leaders of the "children's crusade" that "if the fathers of these children deserve to be kept in prison with convicted murderers I have no right to be at large."

"They (imprisoned war law violators) are no more guilty than I," said Mr. Debs in a letter made public here to-day by leaders of the amnesty petitioners, "and I shall insist upon their release or upon my being returned to the penitentiary with them."

POLICE CHASE CAR INTO 25 FOOT DROP

Two Accused Men Buried Under Wreckage Near 59th Street Building.

FIFTY SHOTS EXCHANGED

West End Avenue Greatly Excited as Speeding Motors Battle.

Seven detectives of the Automobile Squad, touring the upper West Side last night in one of the Police Department's new cars, became suspicious of a big Packard car with yellow wheels that swept past them in Ninety-seventh street and turned into West End avenue at a high rate of speed. Detective Gillen, at the wheel, set out in pursuit and kept the big car in sight until it slowed up in front of the home of Mr. Markel, 771 West End avenue. There two men jumped from the Packard, grabbed two tires from the back of a parked automobile and then threw them into the tonneau of their own car.

The detectives yelled at the Packard to stop, but the two men in it looked back and then increased speed. Mike Scenvo of 416 East 124th street, at the wheel of the Packard, drove his machine through Ninety-eighth street to Broadway, then down to Ninety-seventh and then back to West End avenue, with the Cadillac in close pursuit.

At West End avenue and Ninety-seventh street the police began to shoot, more than fifty shots were exchanged. The police say their shots were returned by Dominick Albino of 324 East 124th street, in the back seat of the Packard. Albino is the man whose acquittal by a jury recently called forth a rebuke by Judge Alfred E. Tully in the Court of General Sessions.

Scenvo drove the Packard car down West End avenue at sixty to seventy miles an hour, but he could not shake off the police car, which kept close to his heels. The shots caused tremendous excitement in West End avenue. But both cars were out of sight of pedestrians before the excitement could generate into action and the few curious automobiles that tried to follow the chase were soon outdistanced.

At Fifty-seventh street the Packard car swerved to the east, but Scenvo tried to take the curve at sixty miles an hour. The street was wet and slippery. The big car skidded, crashed into a five foot railing over an arway in the O. J. Gude & Co. building, on the south corner, and plunged downward twenty-five feet to the bottom of the arway. The machine turned over as it fell, and the two men were hurled into the air. Both Albino and Scenvo were buried beneath the machine.

The seven policemen, however, managed to drag them out. They found that Scenvo had a fractured right leg. He was sent to Bellevue Hospital. Albino was not injured, and he was subdued after a fight in which he tried to blackjack the detectives. He was locked up in the West Forty-seventh street station.

Some Questions Asked.

Among other questions put to the Attorney-General in the Scaife letter were these:

"Is it not a fact that you have previously granted hearings to alleged malefactors of great wealth to determine whether or not their cases are to be handled by the courts, and are similar hearings granted to all classes of citizens?"

"Is it not a fact that a number of investigators have been removed or suspended from time to time by Mr. Rusk L. Holland, Assistant Attorney-General, after they had filed reports that the Government was being defrauded? Will you deny, Mr. Attorney-General, that requests for the removal or suspension of any of these men came from persons outside of the Department of Justice?"

"Is it not a fact that the war fraud cases and investigations are now being handled largely by young men who were within the draft age and obtained exemption from military service? Will you deny, Mr. Attorney-General, that some of these young men have stated that it was not the policy of the Department to prosecute war fraud cases?"

"Is it not a fact that men, connected with the Department of Justice are charged with whisky frauds and are still on the Government's payroll?"

Asks About Shadowing.

"Is it not a fact that after Congressman Johnson and Woodruff addressed their colleagues in Congress on April 11, 1922, you immediately assigned Agents Recellar R. Gray (colored), James Connolly, H. F. Crawford and A. C. Raynor of the Bureau of Investigation to shadow the Congressmen and myself, and is it not a fact that you brought various agents of the Bureau of Investigation from out of town to Washington and employed them for the same purpose?"

Is it not a fact that you had two bags of mail belonging to Congressman Roy O. Woodruff shadowed, followed

Continued on Page Five.

Rumor He'll Wed Mrs. McCormick Is Annoying to Swiss Architect

Further than that Mr. Krenn, smoothly shaven, rather heavy set, blond and nattily attired, refused to talk. He gave the interview in his suite at the Drake Hotel, diagonally across from Mrs. McCormick's home on the Lake Shore Drive. Mrs. McCormick would not take the trouble to appear and deny the report. A secretary said: "I don't care what the newspapers print about the matter."

Neither a denial nor an affirmation came from Harold F. McCormick when he was questioned on the latest sensation in the supposed romance between him and Mme. Ganna Walska Cochrane—namely, did he give the beautiful opera singer her wonderful residence in Paris?

"I cannot say anything about this matter," said Mr. McCormick.

CLAIMS DAUGHTERTY AGENTS SHADOWED 2 REPRESENTATIVES

Former Subordinate Declares One Inspected Woodruff's Mail.

ACCUSED OF BEING LAX

Scaife Asserts Cabinet Member Failed to Prosecute Dry Law Cases.

MORSE CHARGE ANSWERED

Daugherty Replies to Caraway and Sees Plot to Discredit His Department.

Special Dispatch to THE NEW YORK HERALD. Copyright, 1922, by THE NEW YORK HERALD. New York Herald Bureau, Washington, D. C., May 4.

H. L. Scaife, formerly an agent of the Department of Justice, in an open letter to-night charged that Attorney-General Daugherty had assigned men to shadow Representatives Woodruff (Mich.) and Johnson (S. D.), and that he had had an agent follow and inspect two bags of mail belonging to Representative Woodruff.

There were further charges that Mr. Daugherty had failed to file prosecutions against "malefactors of great wealth" and violators of the Federal prohibition law. The letter was made public by Representative Woodruff, who threatened Daugherty with impeachment in the House for laxity in bringing prosecutions.

Mr. Daugherty is accused of failure to file civil suits in the cases of the Wright-Martin Aircraft Corporation, the American Electric Products Company, the Dayton Wright Company, the American Bosch Magneto Company, the Standard Aircraft Company, the Chemical Foundation Company and other cases in which audits of accounts between the companies and the Government have been made.

The charges were contained in a letter sent to the Attorney-General. It asked a number of questions and explanations, each query being in the nature of an indictment against the Attorney-General for his conduct in office.

Earlier in the day the Attorney-General replied to statements by Senator Caraway (Dem., Ark.) relative to the release of Charles W. Morse from Atlanta in 1912. Mr. Daugherty hinted at the early exposure of certain unnamed individuals whom he suspects are engineering attacks upon his office.

Some Questions Asked.

Among other questions put to the Attorney-General in the Scaife letter were these:

"Is it not a fact that you have previously granted hearings to alleged malefactors of great wealth to determine whether or not their cases are to be handled by the courts, and are similar hearings granted to all classes of citizens?"

"Is it not a fact that a number of investigators have been removed or suspended from time to time by Mr. Rusk L. Holland, Assistant Attorney-General, after they had filed reports that the Government was being defrauded? Will you deny, Mr. Attorney-General, that requests for the removal or suspension of any of these men came from persons outside of the Department of Justice?"

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NEW GROUPING OF POWERS SEEN MOVE TO COMPEL FRENCH ACCORD ON RUSSIA

RUSSO-GERMAN PACT FOUND ANTAGONISTIC

Reparations Commission Decides That it Violates the Versailles Treaty.

SOME PHRASES IN DOUBT

Germany Must Promise Not to Denounce Rights of the Commission.

By LAURENCE HILLS.

Special Cable to THE NEW YORK HERALD. Copyright, 1922, by THE NEW YORK HERALD. New York Herald Bureau, Paris, May 4.

The note forwarded to Berlin to-night by the Reparations Commission shows conclusively that the commission's legal experts consider the Russo-German or Rapallo treaty as conflicting at various points with the treaty of Versailles. Its phrasing, however, leaves the way open for Germany to declare that she has no intention of provoking such conflict.

The French to-night are expressing the utmost satisfaction over the Reparations Commission's views, which they hold coincide in every point with their initial objections to the agreement. The note lends new force to the Poincare stand with Belgium on the sacredness of obligations and until the tenor of the German reply is known at Genoa, it will give the French a stronger hold than hitherto on Premier Lloyd George, as the note bears the signature of Sir John Bradbury as well as that of M. Dubois, thereby affirming Franco-British solidarity in this delicate European controversy.

It is also believed here that this new maintenance of the treaty of Versailles will form a useful corollary to France's decision taken at to-day's Cabinet meeting to support the idea of a general non-aggression pact, but only in so far as it does not interfere with the existing treaties bearing France's signature.

The Note to Berlin.

Summed up the note demands: First, that Germany assure the commission that she does not intend to renounce the rights which have been or should be transferred to the commission under the treaty of Versailles, the commission remarking that the Rapallo renunciation is formulated in such general terms without restrictions and reservations as to leave the intention doubtful.

Second, it asks Germany to list the renunciations included in the Rapallo treaty as well as to explain why the commission's reconstruction of the renunciations will not increase Germany's present budget burdens either by diminishing the income of Germany or by increasing her expenditures for factories, etc., relinquished in Russia or by augmenting Germany's expenditures on account of subsidies in connection with her economic reconstruction.

Fourth, it reserves the right of the Reparations Commission to continue its investigation from time to time and to take such action as might be necessary to enforce the terms of the treaty of Versailles, which are outside its competence, or with any general questions arising either out of the actual terms of the treaty of Rapallo or out of the circumstances in which it was concluded.

Decision Qualified.

PARIS, May 4. (Associated Press.)—In the note communicated to the German Government to-night the Reparations Commission reserves to itself the right to examine closely the application of the Russo-German treaty and take any action necessary to protect the allied lien on all German resources.

The note concludes with the following qualification of the commission's decision: "It must be understood that the commission has confined its observations to practical questions which fall within its own immediate province. It is not within the function of the commission to deal either with specific questions affecting the provisions of the treaty of Versailles, or with any general questions arising either out of the actual terms of the treaty of Rapallo or out of the circumstances in which it was concluded."

EX-SENATOR GRONNA DIES AFTER OPERATION

North Dakota Man Was Candidate for Nomination Again.

DAKOTA, N. D., May 4.—Asle J. Gronna, former United States Senator from North Dakota, died at his home here to-night. He was 64 years old. Mr. Gronna recently announced his intention to run for the Republican nomination for the United States Senate in 1924.

Mr. Gronna was survived by a widow and three daughters.

Senator Gronna was one of the six United States Senators who voted against the declaration of war with Germany and who opposed the armed neutrality bill. He was born in Elkader, Clayton County, Iowa, December 10, 1858, and was raised on a farm and educated in the public schools and at Calcedonia Academy. He moved to South Dakota in 1879 and there married Bertha M. Ostby of Spring Grove, Minn. In 1884, he was a member of the Territorial Legislature. In 1889, he served as Representative at-Large from 1905 to 1911. In January, 1911, he was elected United States Senator to fill the unexpired term of the late Martin N. Johnson. He was reelected in 1915, and remained in the Senate until 1921.

High Cost of Living Drives Poles From Genoa

WARSAW, May 4. (Associated Press.)—The high cost of living at Genoa was responsible for the return here to-day of the larger part of the Polish delegation of secretaries and stenographers. The Polish delegation at the economic conference now consists of only three persons. The cost of maintaining the entire delegation, it was said, amounted to several million Polish marks daily.

SAYS BAHKMETEFF INVESTED U. S. LOAN